



FACT Sheet



CROWN LAND MANAGEMENT AMENDMENT (STATUTORY REVIEW) BILL 2026

WHAT HAS HAPPENED?

On 19 June 2026, the NSW Government released proposed amendments to the *Crown Land Management Amendment (Statutory Review) Bill 2026* following sustained advocacy by NSWALC, Local Aboriginal Land Councils and Aboriginal communities across NSW.

Following consideration of the proposed amendments, NSWALC has resolved to continue opposing the Bill in its current form while acknowledging that important improvements have been secured through the advocacy efforts of the Network.

A KEY WIN

The Government has agreed to remove proposed section 5.20B(4).

This provision would have deemed the granting of a Crown land lease to constitute a lawful use of land for the purposes of other legislation - the *Aboriginal Land Rights Act 1983*.

Its removal is a significant achievement and demonstrates the impact of coordinated advocacy by NSWALC and the Network of Local Aboriginal Land Councils.

WHY DOES NSWALC REMAIN CONCERNED?

While some improvements have been made, the Bill continues to contain provisions that may negatively impact Aboriginal land rights.

Key concerns include:

- Retrospective validation powers that may allow otherwise invalid Crown land holdings to be validated after the fact.
- Consultation requirements that are insufficient to allow for meaningful consideration by Aboriginal Land Councils.
- Transfer of risks associated with contamination and environmental damage to Aboriginal Land Councils in circumstances where such harm occurred during Crown ownership.
- Ongoing concerns regarding broader provisions in the Bill relating to public interest protections, regulation-making powers and other Crown land management reforms.

WHAT IS NSWALC SEEKING?

NSWALC will continue to advocate for the withdrawal of the Bill in its current form.

NSWALC also calls for further amendments to the Bill including:

- That any decisions made to validate or change a Crown land holding that may affect Aboriginal land claims can only be made with the concurrence (agreement) of the Minister for Aboriginal Affairs.
- Where there is an undetermined land claim and before exercising powers to validate or change a Crown land holding, that the Minister must consider whether a community facility, service or activity is already protected through existing laws, planning controls or zoning and whether



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there are other ways to protect a community facility, service or activity without affecting an Aboriginal land claim.

- That Aboriginal Land Councils must receive all relevant information during consultation, including copies of any lease or licence and details of the claimed community benefit.
- That consultation periods must be a minimum of 28 days and not be reduced in regulations.
- That any land that is validated because it provides a community benefit must remain restricted to that purpose.
- That decisions to validate Crown land holdings must be made by the Minister and not delegated to another person.

WHAT CAN LALCs DO?

NSWALC encourages all LALCs to:

✓ Review the proposed amendments.

✓ Lodge submissions with Government on the proposed amendments to the Bill. Submissions are due 31 July and can be lodged via bill.consult@crownland.nsw.gov.au

If you would like support with submissions, please contact NSWALC on policy@alc.org.au and we can assist.

For further information, please contact NSWALC's Strategy and Policy Unit on policy@alc.org.au

QUESTIONS TO ASK MINISTER KAMPER DURING CONSULTATIONS

- Will any updated Bill be circulated to the Network? When? We need to see the updated version prior to Parliamentary processes recommencing.
- What is your timeframe for taking the Bill back to Parliament?

- Will you accept the proposed amendments from NSWALC and the Network?
- Land claims determinations have stalled. Why?
- Why is the Government focusing on legislation that could reduce Aboriginal land rights instead of speeding up the determination of outstanding land claims?
- We oppose the Bill, will you still be progressing it despite our opposition?
- Why should Aboriginal Land Councils lose opportunities because of mistakes made by the Government years ago? This Bill preferences unlawful third-party interests above Land Councils/ lawful Aboriginal property interests.
- The Bill retrospectively alters the operation of the Aboriginal land claim system. Why does the Bill still allow the Government to retrospectively validate Crown land dealings?
- Why doesn't the Bill require the Government to look at other ways of protecting community facilities without defeating Aboriginal land claims?
- How can Local Aboriginal Land Councils be confident that the proposed consultation provisions will genuinely influence the Minister's decision?
- Why can the consultation period in the Bill still potentially be shortened?
- How will the Government decide what is a "community benefit"?





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MYTH BUSTING FACTS

If you hear these statements during discussions about the Bill, here are the key facts.

"The Aboriginal land claim system is broken and needs fixing."

The issue isn't the law, it's that land claims are taking far longer to determine. Existing laws already give the Government the tools it needs to manage Crown land. The focus should be on improving decision-making and resolving claims faster, not reducing Aboriginal land rights.

"These claims were never intended under the Aboriginal Land Rights Act."

Courts have consistently confirmed that these claims are valid under the *Aboriginal Land Rights Act*. The principles being relied on have existed for decades.

"NSWALC and LALCs are exploiting loopholes."

LALCs are using the land claim process exactly as Parliament intended. Claims are assessed under the law and determined independently. They are not based on loopholes or technicalities.

"Community facilities like surf clubs, fire stations and parks are at risk."

Land needed for an essential public purpose is already protected under the *Aboriginal Land Rights Act*. In practice, Aboriginal Land Councils have a long history of working with governments and communities to keep important community facilities operating. Aboriginal Land Agreements provide a further avenue for this to occur.

"The Bill only affects a handful of unusual cases."

While only a small number of current claims are often discussed publicly, the Bill changes important legal principles that protect Aboriginal land rights across NSW. Its impact goes well beyond a few individual sites.

"The Bill simply fixes administrative mistakes."

The Bill does much more than correct paperwork. It changes longstanding legal rights and gives broader powers to retrospectively validate decisions that courts have found to be unlawful.

"Aboriginal Land Councils stop development."

NSWALC and LALCs have consistently supported negotiated outcomes, Aboriginal Land Agreements and practical solutions that benefit both Aboriginal communities and the broader public.

"If an Aboriginal Land Council owns land, the community loses access."

Ownership does not mean community use stops. Across NSW, Aboriginal Land Councils continue to allow and support community facilities, public access and essential services on land they own.

"The Bill simply clarifies the law."

The law is already well established. The Bill changes existing legal principles rather than simply explaining them.

